

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

SALVATORE J. INFANTINO,	:	
Plaintiff	:	
	:	CIVIL ACTION NO. 3:12-2539
v.	:	
	:	(JUDGE MANNION)
WEST WYOMING BOROUGH and	:	
THOMAS J. ROCCOGRANDI,	:	
Defendants	:	

ORDER

Presently before the court are motions to dismiss filed by Defendant West Wyoming Borough, (Doc. No. [7](#)), and Defendant Thomas J. Roccograndi, (Doc. No. [31](#)). For the reasons stated in the Memorandum of this date, each motion is **GRANTED in Part and DENIED in Part** as follows:

- (1) Count II of the plaintiff's complaint, alleging violations of the First Amendment to the United States Constitution, is **DISMISSED** in its entirety;
- (2) The plaintiff's claim of an unreasonable seizure in violation of the Fourth Amendment is **DISMISSED**;
- (3) Any claims arising under the Fifth Amendment are **DISMISSED**;
- (4) Any claims arising under the Fourteenth Amendment are **DISMISSED**;

In all other respects the motions are **DENIED**.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATED: July 31, 2013

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